

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION**

CINCINNATI INSURANCE )  
COMPANY )  
                )  
**Plaintiff,** )  
                )  
                )  
v.                 )      **CV-3:06-CV-733-MHT**  
                )  
JOSEPH DONALD PRATHER and )  
LINDA PRATHER )  
**Defendants.** )  
                )

**PLAINTIFF'S FIRST SET OF REQUEST FOR ADMISSIONS**

**COMES NOW**, both Plaintiff in the referenced matter and pursuant to Rule 33, FED. R. CIV. P., and propounds this its First Set of Request for Admissions to Linda Prather:

1.     Admit that neither your daughter, Tracy Swader, nor your son-in-law, Jason Swader, were resident members of your household during the time period of March 26, 2005 to March 26, 2006.
2.     Admit that neither Jason Swader nor Tracey Swader were listed as additional insureds on the policy of insurance bearing number A010134532 with effective dates of March 26, 2005 to March 26, 2006.
3.     Admit that you did not bargain for either Tracy Swader or Jason Swader to be insureds on the referenced policy of insurance.
4.     Admit that you and/or your husband made endorsements to the referenced policy of insurance to add vehicles.

5. Admit that when additional vehicles were added to the policy that neither you nor Mr. Prather added Tracy Swader nor Jason Swader as named insureds on the policy.

**RESPECTFULLY SUBMITTED,**

/s/ Jennifer T. Dewees

Jennifer T. Dewees (ASB1265S35J)  
Attorney for Plaintiff, Cincinnati Insurance  
Company  
2001 Park Place Tower, Suite 911  
Birmingham, AL 35203  
205-251-9958

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above and foregoing has been electronically filed with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following on this the 9th day of April, 2007:

Timothy L. Dillard  
Dillard and Associates, LLC  
The Berry Building, Suite 400  
2015 Second Avenue North  
Birmingham, Alabama 35203  
205-251-2823  
dillard&horn@aol.com

Stephen D. Heninger  
Heninger Garrison Davis, LLC  
P.O. Box 11310  
Birmingham, AL 35202  
205-326-3336  
steph@hgdlawfirm.com

Steven Bullard  
1405 16<sup>th</sup> Place  
Valley, AL 36854  
*Service by Mail*

Respectfully Submitted,

/s/Jennifer T. Dewees

Jennifer T. Dewees, #ASB1265S35J

2001 Park Place North

Suite 911

Birmingham, Alabama 35203

(205) 251-9958

[Jennifer\\_Deweese@staffdefense.com](mailto:Jennifer_Deweese@staffdefense.com)

